

TOWN BOARD MEETING
WEDNESDAY, APRIL 6, 2011; 7:00 P.M.
 NEW WINDSOR TOWN HALL
 NEW WINDSOR, NEW YORK

BOARD MEMBERS PRESENT: Supervisor Green, Councilwoman Mullarkey, Councilwoman Weyant, Councilwoman Biasotti, Councilman Lundstrom

OTHER OFFICIALS PRESENT: Comptroller Finnegan, Police Lieutenant Farbent, Town Attorney Blythe, Highway Superintendent Fayó

Supervisor Green called to order the Town Board meeting and presided over same.

#1 On Agenda: Motion - Approve Minutes

Motion by Councilwoman Weyant, seconded by Councilwoman Mullarkey that the Town Board of the Town of New Windsor approve the minutes of the public hearing regarding Special Use Permit for Covington Estates and the minutes of the Town Board meeting, both held on March 2, 2011, as per the copies posted on the Town Clerk's bulletin board in the Town Hall, and same distributed to each of the Town Board members.

Roll Call: All Ayes

Motion Carried: 5-0

UNFINISHED BUSINESS

HIGHWAY DEPARTMENT

#2 On Agenda: Motion - Authorization To Execute Agreement - Pavement Markings On Non-County Roads

Motion by Councilwoman Biasotti, seconded by Councilman Lundstrom that the Town Board of the Town of New Windsor authorize the Supervisor to execute an Agreement with the County for pavement markings on non-county roads for the 2011 season.

Roll Call: All Ayes

Motion Carried: 5-0

#3 On Agenda: Motion - Authorize Advertising For Bids - Truck Chassis And Loader Refuse Body

Motion by Councilwoman Mullarkey, seconded by Councilwoman Weyant that the Town Board of the Town of New Windsor authorize the Town Clerk to advertise, pursuant to law, calling for sealed bids for the purchase of a 2012 Truck Chassis and 29 Yard Cubic Loader Refuse Body. Bids shall be received and publicly opened on May 5, 2011 at 10:00 a.m. (local time) at the office of the Town Clerk, 555 Union Avenue, New Windsor, New York. The Town Board of the Town of New Windsor reserves the right to reject any and/or all bids.

Roll Call: All Ayes

Motion Carried: 5-0

#4 On Agenda: Receive And File Permit Bond - Bob Mulé Excavating, Inc.

Hearing no objection, the Town Board of the Town of New Windsor receive and file with the Town Clerk a License and Permit Bond #LSM0283410, submitted by Bob Mulé Excavating, Inc., P. O. Box 565, Vails Gate, New York, in the amount of \$20,000.00, effective March 30, 2011 and expiring March 30, 2012. The purpose of the Permit Bond is to secure a permit from the Town of New Windsor to perform street openings within the Town. Same being referred to the Town Attorney and the Town Highway Superintendent.

WATER DEPARTMENT

#5 On Agenda: Motion - Authorize Change Orders - Route 9W/Moodna Creek Watermain Replacement Project

Motion by Councilwoman Weyant, seconded by Councilwoman Mullarkey that the Town Board of the Town of New Windsor authorize the Supervisor to execute two change orders submitted by Nannini & Callahan Excavating, Inc. in the amount of \$25,000.00 and \$4,056.00 for work on the Route 9W/Moodna Creek Watermain Replacement Project as per the recommendation of McGoey, Hauser and Edsall Consulting Engineers, P.C. on March 22, 2011.

Roll Call: All Ayes

Motion Carried: 5-0

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SANITATION DEPARTMENT

GENERAL

#6 On Agenda: Motion - Authorization To Submit Application - Orange County Energy Efficiency CDBG Program

Motion by Councilman Lundstrom, seconded by Councilwoman Biasotti that the Town Board of the Town of New Windsor authorize the Supervisor to submit an application, accept funds, abide by the federal requirements and execute an Agreement between Town of New Windsor and County of Orange, for financial reimbursement assistance for the funding of certain energy efficiency activities which support the 2011 Orange County Energy Efficiency Conservation Block Grant Program.

Roll Call: All Ayes

Motion Carried: 5-0

#7 On Agenda: Motion - Authorize Settlement with New Windsor PBA

Motion by Councilwoman Mullarkey, seconded by Councilwoman Weyant that the Town Board of the Town of New Windsor hereby authorizes the Supervisor, through the Town Attorney, to settle all grievances, improper practice charges and/or interest arbitrations currently in dispute between Town of New Windsor and the Patrolmen's Benevolent Association of New Windsor, New York, Inc. (PBA) which are presently the subject of arbitration and/or before the Public Employment Relations Board and that the Supervisor or Town Attorney is authorized to execute any and all necessary documents to settle these matters.

Roll Call: All Ayes

Motion Carried: 5-0

#8 On Agenda: Motion - Authorize Execution Of MOA - New Windsor PBA

Motion by Councilwoman Biasotti, seconded by Councilman Lundstrom that the Town Board of the Town of New Windsor authorize the Supervisor to execute a Memorandum of Agreement between Town of New Windsor and Patrolmen's Benevolent Association of New Windsor, New York, Inc., (PBA), regarding the terms of a new Collective Bargaining Agreement which shall commence January 1, 2011 and expire on December 31, 2012.

Roll Call: All Ayes

Motion Carried: 5-0

#9 On Agenda: Motion - Authorize Execution Of Collective Bargaining Agreement - New Windsor PBA

Motion by Councilwoman Weyant, seconded by Councilwoman Mullarkey that the Town Board of the Town of New Windsor authorize the Supervisor to execute a Collective Bargaining Agreement (CBA) and all related documents between Town of New Windsor and Patrolmen's Benevolent Association of New Windsor, New York, Inc., (PBA), the terms of which shall commence January 1, 2011 and expire on December 31, 2012.

Roll Call: All Ayes

Motion Carried: 5-0

#10 On Agenda: Motion - Authorize Execution Of MOU - CSEA

Motion by Councilman Lundstrom, seconded by Councilwoman Biasotti that the Town Board of the Town of New Windsor authorize the Supervisor to execute a Memorandum of Understanding between Town of New Windsor and CSEA, Local 1000 AFSCME, AFL-CIO regarding the terms of a new Collective Bargaining Agreement which shall commence January 1, 2011 and expire December 31, 2012.

Roll Call: All Ayes

Motion Carried: 5-0

#11 On Agenda: Motion - Authorize Execution Of Collective Bargaining Agreement - CSEA

Motion by Councilwoman Mullarkey, seconded by Councilwoman Weyant that the Town Board of the Town of New Windsor authorize the Supervisor to execute a Collective Bargaining Agreement with CSEA, Local 1000 AFSCME, AFL-CIO as per the terms of the Memorandum of Understanding regarding the said CSEA Agreement for the term January 1, 2011 through December 31, 2012.

Roll Call: All Ayes

Motion Carried: 5-0

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#12 On Agenda: Motion - Authorize Execution Of Inter-Municipal Agreement - Town Of Highlands

Motion by Councilwoman Biasotti, seconded by Councilman Lundstrom that the Town Board of the Town of New Windsor authorize the Supervisor to execute an Inter-Municipal Agreement between Town of New Windsor and Town of Highlands for purposes of utilizing the Town of New Windsor’s Information Technology Officers to assist the Town of Highlands in the establishment, configuration, maintenance and oversight of the Town of Highlands computers.
Roll Call: All Ayes *Motion Carried: 5-0*

#13 On Agenda: Motion - Authorize Execution Of Inter-Municipal Agreement - Town Of Crawford

Motion by Councilwoman Weyant, seconded by Councilwoman Mullarkey that the Town Board of the Town of New Windsor authorize the Supervisor to execute an Inter-Municipal Agreement between Town of New Windsor and Town of Crawford for purposes of utilizing the Town of New Windsor’s Information Technology Officers to assist the Town of Crawford in the establishment, configuration, maintenance and oversight of the Town of Crawford computers.
Roll Call: All Ayes *Motion Carried: 5-0*

#14 On Agenda: Receive And File Inter-Municipal Agreement - Village Of Washingtonville

Hearing no objection, the Town Board of the Town of New Windsor receive and file Inter-Municipal Agreement between Town of New Windsor and Village of Washingtonville for cooperative Information Technology services.

#15 On Agenda: Motion - Authorize Execution Of Federal Section 5307 Operating Assistance Agreement

Motion by Councilwoman Mullarkey, seconded by Councilwoman Weyant that the Town Board of the Town of New Windsor authorize the Supervisor to execute a third party Agreement for Federal Section 5307 Operating Assistance between Towns of New Windsor and Cornwall and the County of Orange regarding the Dial-A-Bus Program.
Roll Call: All Ayes *Motion Carried: 5-0*

#16 On Agenda: Receive And File Notice Of Claim - Allstate Insurance Company

Hearing no objection, the Town Board of the Town of New Windsor receive and file Notice of Claim in the matter of Allstate Insurance Company v. Town of New Windsor and George Ladlee received on March 21, 2011.

#17 On Agenda: Receive And File Easement Agreement - VGR Associates - Sewer Pump Station #12

Hearing no objection, the Town Board of the Town of New Windsor receive and file Utility and Access Easement Agreement dated December 10, 2010 from VGR Associates, LLC to Town of New Windsor for an easement across property known as 115 Temple Hill Road in the Town of New Windsor, which was recorded in the Orange County Clerk’s office on the 12th day of January, 2011 in File #20110003996.

#18 On Agenda: Motion - Authorize Appropriation Of Excess Revenues

Motion by Councilman Lundstrom, seconded by Councilwoman Biasotti that the Town Board of the Town of New Windsor authorize the appropriation of excess revenues as follows:

<u>Water Fund</u>		
To:	Interfund - STAS Water Plant Rent	\$64,273.00
From:	Water Sales	\$64,273.00
<u>Fire Districts</u>		
To:	Fire Protection - Salisbury Mills	\$917.00
From:	Real Property Tax - Salisbury Mills	\$917.00

Roll Call: All Ayes *Motion Carried: 5-0*

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#19 On Agenda: Motion - Authorize Renewal Of Solicitor's Permit - Hopkins

Motion by Councilwoman Mullarkey, seconded by Councilwoman Weyant that the Town Board of the Town of New Windsor authorize the renewal of a Solicitor's Permit submitted by Theresa Hopkins d/b/a/ Hill Top Wagon, Route 94, PO Box 31, Vails Gate, New York, to sell hot dogs, soda and chips on Route 94 at the Vails Gate Cycle Shop. Permit shall be obtained from the Town Clerk's office.

Roll Call: All Ayes

Motion Carried: 5-0

#20 On Agenda: Motion - Authorize Renewal Of Solicitor's Permit - Jabbour

Motion by Councilwoman Biasotti, seconded by Councilman Lundstrom that the Town Board of the Town of New Windsor authorize the renewal of a Solicitor's Permit submitted by Omar M. Jabbour, 67-2 Barclay Plaza, New Windsor, New York, to sell pre-packaged ice cream/soft serve in the Town of New Windsor. Permit shall be obtained from the Town Clerk's Office.

Roll Call: All Ayes

Motion Carried: 5-0

#21 On Agenda: Motion - Authorize Execution Of Lease Agreement - Xerox

Motion by Councilwoman Mullarkey, seconded by Councilwoman Weyant that the Town Board of the Town of New Windsor hereby authorize the Supervisor to execute lease agreement and all related documents between Town of New Windsor and Xerox for one Xerox Work Centre model #5765 and one Xerox Work Centre model #5150, as recommended by the Chief Information Technology Officer and the Town Attorney.

Roll Call: All Ayes

Motion Carried: 5-0

#22 On Agenda: Officials Reports

The following reports were received, recorded and filed with the Town Clerk:

Building Department	Month of February 2011
Fire Prevention	Month of February 2011
Building Department	Month of March 2011
Justice Court - Noreen Calderin	Month of March 2011
Justice Court - Richard Thorpe	Month of March 2011
Police Department	Month of March 2011
Recreation Department	Month of March 2011
Tax Receiver's Utility Report	Month of March 2011
Tax Receiver's Monthly Tax Statement	Month of March 2011
Town Clerk	Month of March 2011

#23 On Agenda: Public Forum

Supervisor Green asked anyone on the Board if they had any comments and then opened the public forum to anyone who wished to speak.

A resident from Toleman Road asked what the status was with the Fox Hollow subdivision and if they would be getting CO's. Supervisor Green said they are getting nothing from the Town. They are in total violation of their site plan, their letter of credit for the road was called in and the drainage lot was foreclosed on by the County and sold and is now in the hands of a third party. Supervisor said that when the market comes back up, they will probably try to find a way make the development right again, but they cannot sell those houses at this point and for the foreseeable future.

Supervisor Green said that during next month's public forum there will be a discussion involving Dial-A-Bus fares.

Hearing no one else wishing to speak, Supervisor entertained a motion to close the Public Forum.

Motion by Councilwoman Weyant, seconded by Councilwoman Mullarkey that the Town Board of the Town of New Windsor close the Public Forum portion of the meeting.

Roll Call: All Ayes

Motion Carried: 5-0

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#24 On Agenda: Adjourn

Motion by Councilman Lundstrom, seconded by Councilwoman Biasotti that the Town Board of the Town of New Windsor adjourn the Town Board reorganization meeting at 7:35 P. M.

Roll Call: All Ayes

Motion Carried: 5-0

Respectfully submitted,

DEBORAH GREEN
TOWN CLERK

/clc